

AGENDA ITEM

US FOREST SERVICE COST/SHARE SUMMARY Supplement No. 16 Flathead National Forest

June 6, 2006

RIGHT-OF-WAY-APPLICATION FILE NO.

I. **Applicant:**

USDA-Forest Service
Region 1
1995-3rd Ave
Kalispell MT 59901

II. **Purpose of Reciprocal Access Agreement:**

State land is intermingled with the US Forest Service lands administered by the Flathead National Forest. In order for both the State of Montana and the US Forest Service to gain legal access, it is necessary to exchange easements as provided by the Master Cost/Share Agreement with the US Forest Service.

III. **Legal Description:**

The State of Montana and the US Forest Service in the following described lands will exchange standard Cost/Share easements: (Refer to FACT SHEET Supplement No. 16)
Sections 1, 3, and 10, Township 26 North, Range 22 West P.M.M.
Section 35, Township 27 North, Range 21½ West, P.M.M.
Section 36, Township 27 North, Range 22 West, P.M.M.

IV. **General Information:**

Tributary area, right of way area, and miles of road are shown and itemized in Exhibits 1-A, 1-B and 1-C and are summarized as follows:

	State Share	USFS Share	Total
Tributary Area:	622 Acres	3,849 Acres	4,471 Acres
Right of Way Area:	5.68 Acres	63.43 Acres	69.11 Acres
Miles of Road:	0.71 Miles	7.39 Miles	8.1 Miles

Land Office: NWLO
Unit Office: Kalispell
County: Flathead
Beneficiary: Common Schools
Lessee Agreement: N/A
Land Classification: Forest

V. Costs to be Borne by Each Party:

Excess costs, by land value and road costs, were determined by using the West Side Fee Schedule for Land Values and Construction Cost Estimate for Road Values. Exhibits 2-A and 2-B itemize the land values and road costs, which are summarized as follows:

	EXCESS COSTS	
	Gov't Owes State	State Owes Gov't
Land Value	\$ 0.00	\$ 23,845.00
Road Costs	\$ 0.00	\$ 34,164.00
Total Value/Costs	\$ 0.00	\$ 58,009.00
Amount Owed*	\$ 0.00	\$ 58,009.00

***As provided by and in accordance with the Montana Master Cost/Share Agreement with the US Forest Service, the State of Montana agrees to pay \$58,009.00 upon approval of the Land Board and receipt of signed deeds.**

VI. Results of MEPA Analysis:

Beverly O'Brien, Forest Management Supervisor on the Kalispell Unit of the Northwestern Land Office prepared the final decision for the Environmental Assessment for the project including roads (MEPA). Categorical Exclusion for the project was prepared and approved by the District Ranger (Stephen Brady) for the US Forest Service (NEPA).

VII. Benefits to State:

1. The easements obtained provides for permanent access to State Trust Lands located in Section 36, Township 26 North, Range 22 West P.M.M., Flathead County, Montana.
2. The main US Forest Service Road covered by this supplement is maintained as a "open road" which allows for motorized public access to both State and Federal land.
3. The completion of a Cost/Share project allows for the State to partially recover reconstruction costs as part of a timber sale thereby reducing the cost of easement acquisition.
4. The easements provide access to an existing gravel source to meet State needs or additional revenue sources to the trust beneficiary

VIII. Recommendation/Action:

After review of the documents, deed, easement, exhibits, and benefits to the State, the Director of the Department of Natural Resources and Conservation recommends approval of the Wild Horse Mountain Cost Share Supplement No. 16 with the US Forest Service.